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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/603,992	10/603,992 06/25/2003 Harald Lichtinger		2003P06347US; 4774 60,426-613			
24500	7590 12/21/2005	EXAMINER		INER		
SIEMENS CORPORATION INTELLECTUAL PROPERTY LAW DEPARTMENT			GIBSON, R	GIBSON, RANDY W		
170 WOOD AVENUE SOUTH			ART UNIT	PAPER NUMBER		
ISELIN, NJ 08830		2841				

DATE MAILED: 12/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## **Advisory Action**

Application No.	Applicant(s)		
10/603,992	LICHTINGER ET AL	<b></b>	
Examiner	Art Unit		
Randy W. Gibson	2841		

The MAILING DATE of this communication appears on the cover sheet with the correspondence address — THE REPLY FILED 08 December 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.  I. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other elemons which papel replies (1) an amendment, affidavit, or other elemons which papel replies (1) an amendment, affidavit, or other elemons which papel replies (1) an amendment, affidavit, or other elemons which papel replies (1) an amendment, affidavit, or other elemons which papel replies (1) an amendment, affidavit, or other elemons which papel replies (1) an amendment, affidavit, or other elemons which papel replies (1) an amendment, affidavit, or other elemons which papel replies (1) an amendment, affidavit, or other elemons which the papel replies (1) and the papel replies (1				<del>-</del> •				
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1. ☐ The reply was filled after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other done on the following replies: (1) an amendment, affidavit, or other of the following replies of the property of the prior of the following the period for reply expires 2, months from the malling date of the final rejection.  □ The period for reply expires 2, months from the malling date of the final rejection. □ Prior (1) The period for reply expires 3, months from the malling date of the final rejection. □ Prior (1) Nover, will be statutory period for reply expires on. (1) the malling date of the final rejection. □ Examiner Note: if box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRAL REJECTION. See MPEP 760.07(f). □ Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee ander 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Originary reduce any earmed patent term adjustment. See 37 CFR 7.04(b).  WONTICE OF APPEAL □ The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37(a), to avoid dismissal of the appeal. Sinal Robics of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).  MENDMENTS □ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be successful to a subject to the subject of the papeal so the final rejection of appeal; and/or (b) They raise the issue of new matter (see NOTE below);  (b) ☐ They raise now issues that would require further consideration and/or search (see NOTE below);  (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or si	The MAILING DATE of this communication appe	ars on the cover sheet with the c	orrespondence add	ress				
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b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, inclinely new review, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MEPP 706.07(f).  Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.137(a) is activated under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.137(a) is activated under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.137(a) and the pappropriate extension fee under 37 CFR 1.174(a) is activated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) set forth in (b) above, if checked. Any reply revolved by the Office later than three months after the mailing date of the final rejection, even if timely file may reduce any earned patient term adjustment. See 37 CFR 1.704(b).  MOTICE OF APPEAL  In Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date or filing the Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).  MENDIMENTS  In proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise the issues of new matter (see NOTE below);  (b) They raise the issues of new matter (see NOTE below);  (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or . (see 37 CFR 1.116 and 41.33(a)).  In the amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  In the amendments are not in compliance	. The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following							
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non-allowable claim(s).  For purposes of appeal, the proposed amendment(s): a)   will not be entered, or b)   will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to: 52.  Claim(s) objected to: 55.  Claim(s) withdrawn from consideration:  AFFIDAVIT OR OTHER EVIDENCE  8.   The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary are was not earlier presented. See 37 CFR 1.116(e).  9.   The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  10.   The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER  11.   The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  See Continuation Sheet.  12.   Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s).   Analysis   Paper No(s)   Paper No(s								
how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to: 52.  Claim(s) rejected: 35-51.  Claim(s) withdrawn from consideration:  AFFIDAVIT OR OTHER EVIDENCE  8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary ar was not earlier presented. See 37 CFR 1.116(e).  9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER  11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  See Continuation Sheet.  12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s).  Randy W. Gibson Primey Examiner	non-allowable claim(s).							
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AFFIDAVIT OR OTHER EVIDENCE  8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary are was not earlier presented. See 37 CFR 1.116(e).  9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER  11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  See Continuation Sheet.  12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s).  Randy W. Gibson Primary Examiner								
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REQUEST FOR RECONSIDERATION/OTHER  11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  See Continuation Sheet.  12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s).  Other:  Randy W. Gibson Primary Examiner	entered because the affidavit or other evidence failed to	overcome <u>all</u> rejections under appe	al and/or appellant fa	ils to provide a				
11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  See Continuation Sheet.  12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s).  Other:  Randy W. Gibson Primary Examiner	10.  The affidavit or other evidence is entered. An explanation	on of the status of the claims after e	ntry is below or attacl	ned.				
See Continuation Sheet.  12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s)  13. Other:  Rand/ W. Gibson Primary Examiner	REQUEST FOR RECONSIDERATION/OTHER							
13. ☐ Other:  Randy W. Gibson Primary Examiner	See Continuation Sheet.			nce because:				
Randy W. Gibson Primary Examiner		(PTO/SB/08 or PTO-1449) Paper N	No(s)					
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Continuation of 5. Applicant's reply has overcome the following rejection(s): applicant's admendments would ovecome the objections to the claims, drawings and the specification.

Continuation of 11. does NOT place the application in condition for allowance because: Applicant states that the looped portion of the tongue plate of Aoki "does not support seat belt material." Aoki expressly states otherwise (Col. 7, lines 40-44). Applicant's arguments regarding claim 52 are presuasive, however.